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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,010	01/22/2004	Eugene J. Alexander	3104/109	8938
75059 7590 09/10/2009 Sunstein Kann Murphy & Timbers LLP 125 SUMMER STREET BOSTON, MA 02110-1618				
EXAMINER				
CWERN, JONATHAN				
ART UNIT		PAPER NUMBER		
3737				
MAIL DATE		DELIVERY MODE		
09/10/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Interview Summary

**Application No.**

10/764,010

**Applicant(s)**

ALEXANDER ET AL.

**Examiner**

Jonathan G. Cwern

**Art Unit**

3737

All participants (applicant, applicant's representative, PTO personnel):

(1) Jonathan G. Cwern.(3) Mr. Philipp Lang.(2) Mr. Daniel Steines.(4) Mr. David Cerveny.

Date of Interview: 09 September 2009.

Type: a) ☐ Telephonic b) ☐ Video Conference

c) ☒ Personal (copy given to: 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☒ Yes e) ☐ No.

If Yes, brief description: computer simulation of how implant is created.

Claim(s) discussed: 1.

Identification of prior art discussed: Delp et al.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Discussed most recent amendment adding language regarding "creating an implant", and how this differs from Delp et al. in that Delp et al. selects from a group of pre-designed implants. Also discussed language regarding the outer surface of the implant. In addition to the above mentioned participants, Examiner Ruth Smith and applicant's representative Mr. Alexander Smoleknski were also present at the interview.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/Jonathan G Cwern/  
Examiner, Art Unit 3737

/Ruth S. Smith/  
Primary Examiner, Art Unit 3737